

REMARKS

Favorable review is requested in view of the above amendments and following remarks. Editorial amendments have been made to claims 1, 11, 18, and 23 are amended. Claims 1-4 and 6-23 are pending in the application, with claims 11-21 being withdrawn from consideration.

Withdrawn Claims

Applicant respectfully submits that it is appropriate to maintain the withdrawn claims without cancellation at this time, so that the withdrawn claims may be reinstated once the corresponding non-sintered thin electrode claims are allowed. Claims 11 and 18 have been amended to track the amendments made to claim 1.

Rejections under 35 U.S.C. § 112

Claim 23 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection, and respectfully requests reconsideration in view of the following comments. Withdrawal of the rejection is requested.

Claim 23 is neither restricted to "nickel" electrodes nor "positive" electrodes and the specification fully supports this interpretation of claim 23. For example, the specification indicates that the material of the conductive electrode substrate can be selected from nickel, copper, aluminum, lead, and alloys of those materials. *See, e.g.*, page 14, lines 2-6. In addition, the specification clearly indicates the invention is directed to "negative" electrodes as well. *See, e.g.*, page 26, lines 16-19.

Claims 1-4, 6-10, 22, and 23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection, and respectfully requests reconsideration in view of the above amendments and the following remarks. Withdrawal of the rejection is requested.

Applicant has editorially amended claim 1 as suggested by the Examiner with regard to positions of the concave and convex parts.

The Examiner was unclear of what a "group" in claim 1 encompasses. For clarity, claim 1 has been amended remove the references to groups.

The Examiner was unclear in claim 1 how the walls of the concave and convex parts are tilted according to the closeness to the edges of the concave and convex parts. Claim 1 recites that "walls of said concave and convex parts are contoured in one direction so as to be more tilted in the same direction at areas closer to the edges of the concave and convex parts."

Applicant respectfully submits that this recitation is not confusing. As shown in Figure 1B, the concave and convex walls are contoured in the direction parallel to the electrode surface. In other words, distortion of the concave and convex parts is formed only in the direction that is parallel to the electrode surface. *See also*, page 12, lines 7 - 10 and Fig. 1(b) of the specification.

Applicant agrees with the Examiner's interpretation of claim 9 as set forth at page 4 of the Office Action.

Rejection under 35 U.S.C. § 102

Claims 1-4, 6-10 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 99/63608 (Kawano). Applicant respectfully traverses this rejection, and respectfully requests reconsideration in view of the following comments.

Claims 1 and 10 require that walls of the concave and convex parts are contoured in one direction. Kawano does not disclose or suggest this limitation. Rather, Kawano simply discloses protrusions and indentations. *See* Fig. 1, Fig. 2A, and Fig. 2B of Kawano. There is no contouring, nor is there contouring in one direction as recited in claims 1 and 10.

Accordingly, Applicant respectfully submits that claims 1 and 10 are allowable over the cited reference. Moreover, claims 2-4, 6-9 and 22 depend from claim 1 and are believed allowable for at least the same reasons.

Rejection under 35 U.S.C. § 103

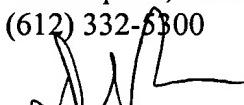
Claim 23 stands rejected under 35 U.S.C. § 103 as being obvious over Kawano. Applicant respectfully traverses this rejection, and respectfully requests reconsideration in view of the following comments.

Claim 23 also requires that walls of the concave and convex parts are contoured in one direction. Accordingly, claim 23 is also believed allowable over the cited reference for at least the same reasons as noted for claims 1 and 10. Applicants do not concede the correctness of this rejection.

In view of the above amendments and remarks, favorable reconsideration in the form of a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300


Douglas P. Mueller
Reg. No. 30,300
DPM:DTL

Date: April 19, 2004